

## **Summary of New Rule**

This rule is required to comply with federal law 42 U.S.C. § 1395i-3(g)(1)(D). Federal law now requires the State (survey agency) to establish a procedure to permit a Certified Nursing Assistant to petition the State to have his or her name removed from the registry that disqualifies them from employment as a nursing assistant. This is limited under federal law to only Certified Nursing Assistants whose names were placed on the registry due to a finding of neglect, and then only:

1. Upon a determination that the individual does not have a pattern of abuse or neglect;
2. The incident was a singular event; and
3. At least one year has lapsed since the original finding was made.